

# The Executive Office (NI)

Freedom of Information audit report

January 2021

# Executive summary

---



## Audit Methodology

The Information Commissioner is responsible for enforcing and promoting compliance with data protection legislation, as well as the Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations (EIR). Section 47 of the FOIA provides provision for the Commissioner to assess whether a public authority is following good practice, including compliance with the requirements of this Act and the provisions of the codes of practice under sections 45 and 46. The ICO sees auditing as a constructive process with real benefits for controllers and so aims to establish a participative approach.

The purpose of the audit is to provide the Information Commissioner and The Executive Office (TEO) with an independent assurance of the extent to which the information handling practices of TEO, within the scope of this agreed audit, conform with the codes of practices under sections 45 and 46 of the FOIA.

TEO agreed to a consensual audit by the ICO of its compliance with the FOIA. An introductory telephone meeting was held on 20 October 2020 with representatives of TEO to discuss the scope of the audit.

It was agreed that the audit would focus on the following area(s):

Scope area	Description
<b>Freedom of Information</b>	The extent to which the information handling practices of TEO, within the scope of this agreed audit, conform with the codes of practices under sections 45 and 46 of the FOIA.

Audits are conducted following the Information Commissioner's data protection audit methodology. The key elements of this are normally a desk-based review of selected policies and procedures, on-site visits including interviews with selected staff, and an inspection of selected records.

However, due to the outbreak of Covid-19, and the resulting restrictions on travel, this methodology was no longer appropriate. Therefore TEO agreed to continue with the audit on a remote basis. A desk based review of selected policies and procedures and remote telephone interviews were conducted from 23 November to 2 December 2020. The ICO would like to thank TEO for its flexibility and commitment to the audit during difficult and challenging circumstances.

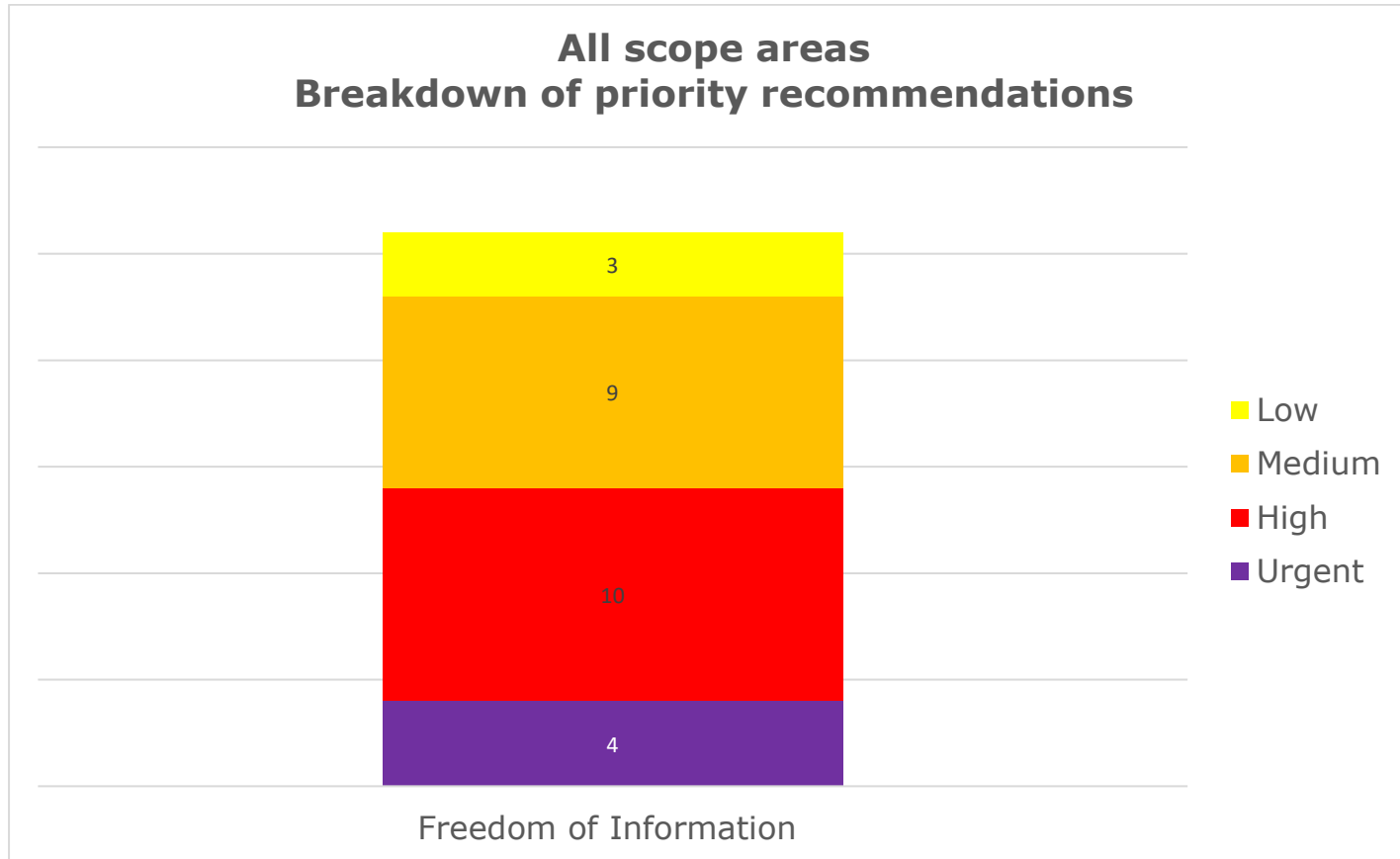
Where weaknesses were identified recommendations have been made, primarily around enhancing existing processes to facilitate compliance with the relevant legislation. In order to assist TEO in implementing the recommendations each has been assigned a priority rating based upon the risks that they are intended to address. The ratings are assigned based upon the ICO's assessment of the risks involved. TEO's priorities and risk appetite may vary and, therefore, they should undertake their own assessments of the risks identified.

## Audit Summary

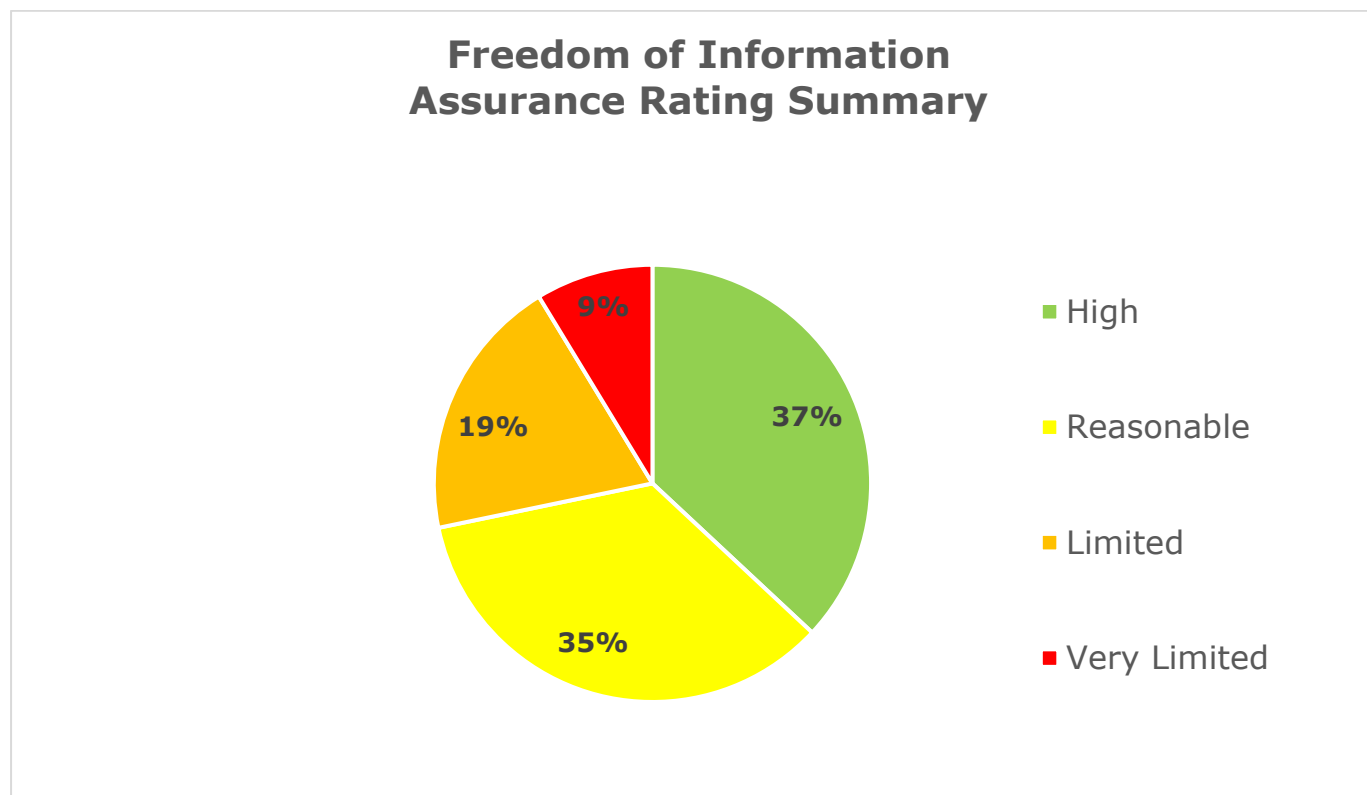
Audit Scope area	Assurance Rating	Overall Opinion
<b>Freedom of Information</b>	<b>REASONABLE</b>	There is a reasonable level of assurance that processes and procedures are in place and are delivering freedom of information compliance. The audit has identified some scope for improvement in existing arrangements to reduce the risk of non-compliance with the relevant legislation.

\*The assurance ratings above are reflective of the remote audit methodology deployed at this time and the rating may not necessarily represent a comprehensive assessment of compliance.

## Priority Recommendations



## Graphs and Charts



## Areas for Improvement

- TEO currently does not have sufficient internal FOI policy or guidance documents in place. TEO should create a suite of FOI documents that are accessible to all staff which detail TEO's approach to handling FOI requests and the procedures to follow as part of the request handling process.
- TEO does not provide staff with training on FOI/EIR legislation as part of its induction or refresher training programmes. TEO should introduce FOI/EIR training as part of its mandatory induction and refresher training programmes for all staff.
- TEO has not formally documented the role of its Information Asset Owners (IAOs) or provided staff in these roles with training. TEO should formalise the role of its IAOs and provide staff in these roles with training so they can act as effective oversight of TEO's business areas and ensure they are all complying with TEO's Records Management Policy.

## Disclaimer

The matters arising in this report are only those that came to our attention during the course of the audit and are not necessarily a comprehensive statement of all the areas requiring improvement.

The responsibility for ensuring that there are adequate risk management, governance and internal control arrangements in place rest with the management of The Executive Office.

We take all reasonable care to ensure that our audit report is fair and accurate but cannot accept any liability to any person or organisation, including any third party, for any loss or damage suffered or costs incurred by it arising out of, or in connection with, the use of this report, however such loss or damage is caused. We cannot accept liability for loss occasioned to any person or organisation, including any third party, acting or refraining from acting as a result of any information contained in this report.

This report is an exception report and is solely for the use of The Executive Office. The scope areas and controls covered by the audit have been tailored to The Executive Office and, as a result, the audit report is not intended to be used in comparison with other ICO audit reports.